

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 18, 2004**

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Mallano, J. (Assigned) and Patricia Gonzalez, Deputy Clerk.

Each of the following:

B177582 Jose M. v. S.C.L.A.  
B168676 People v. Berumen  
B169143 People v. Williams  
B171426 People v. Mendoza  
B172625 People v. Garcia  
B166591 People v. Nicolas D.  
B164958 People v. Jones  
B172925/B173922 D.C.F.S. v. Christopher O.  
B176557 Diamond R. v. S.C.L.A.

Argument waived, cause submitted.

B166347     Antonio Aguilar, et al.  
                 v.  
                 Exxon Mobil Corp., et al.

Merits:

Argued by Thomas Girardi for appellants and by Mary-Christine Sungaila for respondents. Cause submitted.

Mallano, J. (Assigned) leaves the bench.

Aldrich, J. assumes the bench.

DIVISION THREE (Continued)

B166924     Mark Bertram et al.  
              v.  
              Janelle Wantink

Merits:  
Argued by Brian Shumake for appellants and by Richard Wirick for respondents. Cause submitted.

B156726     Roy Al Finance & Loan Co. et al.  
              v.  
              Bernice Prescott et al.

Merits:  
Argued by R. Duane Westrup for appellants and by Paul J. Weiner and Martin Horwitz for respondents. Cause submitted.

B175442     Mark E. Overland et al.  
              v.  
              Superior Court, Los Angeles County  
              (The County of Los Angeles et al., r.p.i.)

Merits:  
Argued by Mark Borenstein for petitioners and by John Alden for real party in interest. Cause submitted.

B168665     Angela A. Bernard  
              v.  
              James Foley

Merits:  
Argued by Robert M. Neubauer for appellant and by Marc T. Eagan for respondent. Submission deferred pending the filing of letter briefs to be filed by Nov. 2, 2004.

DIVISION THREE (Continued)

B167839      Wenata M.A. Kosmala et al.  
                 v.  
                 Makita, USA, Inc., et al.,  
                 North Los Altos Shopping Center

Merits:

Argued by Matthew Levinson for appellant, by Gerald Peters for respondent Makita U.S.A., Inc., and by Christopher Gilman for Respondent, North Los Altos Shopping Center. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Patricia Gonzalez, Deputy Clerk.

B168983      People  
                 v.  
                 Salvador Cortez

Merits:

Argued by Allison M. Adams for appellant and by Juliet Swoboda, Deputy Attorney General for respondent. Cause submitted.

B170389      Josephine Moore  
                 v.  
                 Boy Scouts of America Los Angeles Area et al.

Merits:

Argued by Warren Kelly for appellant and by Thomas Delaney for respondents. Cause submitted.

DIVISION THREE (Continued)

B170824     People  
              v.  
              Juan M. Huerta

Merits:  
Argued by Jeffrey Needelman for appellant and by John Yang, Deputy Attorney General for respondent. Cause submitted.

B171894     Tracy A. Long  
              v.  
              Warren Long

Merits:  
Argued by June Adler for appellant and by Warren Long for respondent. Cause submitted.

B169088     Maria De La Paz Pulido  
              v.  
              Triad Property Management et al.

Merits:  
Argued by Raymond Ghermezian for appellant and by Robert Bruning for respondents. Cause submitted.

B167528     King & Ferlauto  
              v.  
              Ernesto Clark

Merits:  
Appellant Ernesto Clark appearing in propria persona and by David Ozeran appearing for respondent. Matter ordered off calendar pending the filing of letter briefs on the status of the bankruptcy proceedings to be filed by Nov. 4, 2004.

DIVISION THREE (Continued)

B164703     People  
              v.  
              Matthew Marky

Merits:  
Argued by David J. Macher for appellant and by Carl Henry, Deputy  
Attorney General for respondent. Cause submitted.

B170894     People  
              v.  
              Manuel A. Reyes

Merits:  
Argued by Alan Diamante for appellant and by Karen Bissonnette, Deputy  
Attorney General for respondent. Cause submitted.

B169004     Robert E. Sanders  
              v.  
              Audrea D. Barnes

Merits:  
Argued by Audrea D. Barnes appellant in propria persona and by Robert E.  
Sanders respondent in propria persona. Cause submitted.

B168733     In Re Estate of Kathleen Hoffman  
              v.  
              Mayra H. Belfiore et al.

Merits:  
Argued by Mark Hurwitz for appellant and by Jeffrey Gubernick for  
respondents. Cause submitted.

### DIVISION THREE (Continued)

B172517 Riverpark Holdings, LLC  
v.  
Western Pacific Housing, Inc., et al.

Merits:  
Argued by Mark S. Greenstone for appellants and by Betty Shumener for respondent. Cause submitted.

Court adjourned at 4:30 p.m.

DIVISION FOUR

B168343      Oliver                                  (Not for Publication)  
v.  
City of Los Angeles et al.

The judgment is reversed. Appellant shall have his costs on appeal.

Hastings, J.

We concur: Epstein, Acting P.J.  
Grimes, J. (Assigned)

DIVISION SIX

B169159 People (Not for Publication)  
v.  
Gutierrez

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

October 18, 2004 (Continued)

DIVISION SEVEN

B159379     People  
              v.  
              Vasquez and Fregoso

Filed order denying petition for rehearing.